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|--|--------------------------|--|--------------|---|--------------|------|--|---------------------|--|--|--|---------|--|----------------------------|--|--|--|------|-----------|-------|----|----------|-------|---------|--------------------------|-----------|--------------|-----|--------------|
| UTILITY PATENT APPLICATION TRANSMITTAL <small>(Only for new nonapplications under 37C.F.R. §1.53(b))</small> | | Attorney Docket No. | | PC25522A | | | | | | | | | | | | | | | | | | | | | | | | | |
| | | First Inventor | | WADE STANTON BLAIR | | | | | | | | | | | | | | | | | | | | | | | | | |
| | | Title | | DUAL ASSAY FOR EVALUATING ACTIVITY AND CYTOTOXICITY OF COMPOUNDS IN THE SAME POPULATION OF CELLS | | | | | | | | | | | | | | | | | | | | | | | | | |
| | | Express Mail Label No. | | EV 341079238 US | | | | | | | | | | | | | | | | | | | | | | | | | |
| APPLICATION ELEMENTS See MPEP chapter 600 concerning utility patent application contents. | | ADDRESS TO: Mail Stop Patent Applications Commissioner for Patents Box 1450 Alexandria, VA 22313-1450 | | | | | | | | | | | | | | | | | | | | | | | | | | | |
| 1. <input checked="" type="checkbox"/> Fee Transmittal Form (e.g., PTO/SB/17) <small>(Submit an original, and a duplicate for fee processing)</small> 2. <input type="checkbox"/> Applicant claims small entity status See 37 CFR 1.27 3. <input checked="" type="checkbox"/> Specification [Total Pages <u>32</u>] <small>(preferred arrangement set forth below)</small> <ul style="list-style-type: none"> - Descriptive title of the Invention - Cross References to Related Applications - Statement Regarding Fed sponsored R&D - Reference to sequence listing, a table, or a computer program listing appendix - Background of the Invention - Brief Summary of the Invention - Brief Description of the Drawings (if filed) - Detailed Description - Claim(s) - Abstract of the Disclosure 4. <input checked="" type="checkbox"/> Drawing(s) (35 U.S.C. 113) [Total sheets <u>5</u>] 5. <input checked="" type="checkbox"/> Oath or Declaration [Total pages <u>1</u>] a. <input checked="" type="checkbox"/> Newly executed (original or copy) b. <input type="checkbox"/> Copy from a prior application (37 CFR §1.63(d)) <small>(for continuation/divisional with Box 18 completed)</small> <ul style="list-style-type: none"> i. <input type="checkbox"/> DELETION OF INVENTOR(S) Signed statement attached deleting inventor(s) named in the prior application, see 37 CFR 1.63(d)(2) and 1.33(b). 6. <input checked="" type="checkbox"/> Application Data Sheet. See 37 CFR 1.76 | | 7. <input type="checkbox"/> CD-ROM or CD-R in duplicate, large table or computer Program (Appendix) 8. Nucleotide and/or Amino Acid Sequence Submission (if applicable, all necessary) a. <input checked="" type="checkbox"/> Computer Readable Copy (CRF) b. Specification Sequence Listing on: i. <input type="checkbox"/> CD-ROM or CD-R (2 copies) ii. <input checked="" type="checkbox"/> Paper c. <input checked="" type="checkbox"/> Statement verifying identity of above copies | | ACCOMPANYING APPLICATION PARTS 9. <input type="checkbox"/> Assignment Papers (cover sheet & document(s)) 10. <input type="checkbox"/> 37 CFR 3.73(b) Statement <input checked="" type="checkbox"/> Power of Attorney <small>(when there is an assignee)</small> 11. <input type="checkbox"/> English Translation Document (if applicable) 12. <input type="checkbox"/> Information Disclosure Statement (IDS)/PTO-1449 <input type="checkbox"/> Copies of IDS Citations 13. <input type="checkbox"/> Preliminary Amendment 14. <input checked="" type="checkbox"/> Return Receipt Postcard (MPEP 503) <small>(Should be specifically itemized)</small> 15. <input type="checkbox"/> Certified Copy of Priority Document(s) <small>(if foreign priority is claimed)</small> 16. <input type="checkbox"/> Nonpublication Request under 35 U.S.C. 122 (b)(2)(B)(i). Applicant must attach form PTO/SB/35 or its equivalent. 17. <input checked="" type="checkbox"/> Other: Copy of Priority Assignment Papers | | | | | | | | | | | | | | | | | | | | | | | | | |
| 18. If a CONTINUING APPLICATION, check appropriate box, and supply the requisite information below and in a preliminary amendment, or in an Application Data Sheet under 37CFR 1.76. <input type="checkbox"/> Continuation <input type="checkbox"/> Divisional <input type="checkbox"/> Continuation-in-part (CIP) of prior application No: _____ / _____ Prior application information: Examiner _____ Group/Art Unit: _____ For CONTINUATION OR DIVISIONAL APPS only; The entire disclosure of the prior application, from which an oath or declaration is supplied under Box 5b, is considered a part of the disclosure of the accompanying continuation or divisional application and is hereby incorporated by reference. The incorporation can only be relied upon when a portion has been inadvertently omitted from the submitted application parts | | | | | | | | | | | | | | | | | | | | | | | | | | | | | |
| 19. CORRESPONDENCE ADDRESS <input checked="" type="checkbox"/> Customer Number <u>28940</u> or <input type="checkbox"/> Correspondence address below | | | | | | | | | | | | | | | | | | | | | | | | | | | | | |
| <table border="1" style="width: 100%; border-collapse: collapse;"> <tr> <td colspan="2">Name</td> <td colspan="4">Keith D. Hutchinson</td> </tr> <tr> <td colspan="2">Address</td> <td colspan="4">10777 Science Center Drive</td> </tr> <tr> <td>City</td> <td>San Diego</td> <td>State</td> <td>CA</td> <td>Zip Code</td> <td>92121</td> </tr> <tr> <td>Country</td> <td>United States of America</td> <td>Telephone</td> <td>858-526-4608</td> <td>Fax</td> <td>858-678-8233</td> </tr> </table> | | | | | | Name | | Keith D. Hutchinson | | | | Address | | 10777 Science Center Drive | | | | City | San Diego | State | CA | Zip Code | 92121 | Country | United States of America | Telephone | 858-526-4608 | Fax | 858-678-8233 |
| Name | | Keith D. Hutchinson | | | | | | | | | | | | | | | | | | | | | | | | | | | |
| Address | | 10777 Science Center Drive | | | | | | | | | | | | | | | | | | | | | | | | | | | |
| City | San Diego | State | CA | Zip Code | 92121 | | | | | | | | | | | | | | | | | | | | | | | | |
| Country | United States of America | Telephone | 858-526-4608 | Fax | 858-678-8233 | | | | | | | | | | | | | | | | | | | | | | | | |
| NAME (Print/type) | | Keith D. Hutchinson | | Registration No. (Attorney/Agent) | | | | | | | | | | | | | | | | | | | | | | | | | |
| Signature | | <i>Keith D. Hutchinson</i> | | Date | | | | | | | | | | | | | | | | | | | | | | | | | |
| | | | | 43,687 Nov. 24, 2003 | | | | | | | | | | | | | | | | | | | | | | | | | |

This collection of information is required by 37 CFR 1.53(b). The information is required to obtain or retain a benefit by the public which is to file (and by the USPTO to process) an application. Confidentiality is governed by 35 U.S.C. 122 and 37 CFR 1.14. This collection is estimated to take 12 minutes to complete, including gathering, preparing, and submitting the completed application form to the USPTO. Time will vary depending upon the individual case. Any comments on the amount of time you require to complete this form and/or suggestions for

 17858 U.S. PTO
 10/721405


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FEE TRANSMITTAL for FY 2004

Effective 10/01/2003. Patent fees are subject to annual revision.

☐ Applicant claims small status. See 37 CFR 1.27

Total Amount of Payment 770.00

METHOD OF PAYMENT (check all that apply)

☐ Check ☐ Credit Card ☐ Money Order ☐ Other ☐ None

☒ Deposit Account:

Deposit Account Number
Deposit Account Name

500329

Agouron Pharmaceuticals, Inc.

The Director is authorized to: (check all that apply)

☒ Charge fee(s) indicated below ☒ Credit any overpayments
☒ Charge any additional fee(s) or any underpayment of fee(s)

☐ Charge fee(s) indicated below, except for the filing fee to the above-identified deposit account.

FEE CALCULATION

1. BASIC FILING FEE

Large Entity Small Entity

| Fee Code | Fee (\$) | Fee Code | Fee (\$) | Fee Description | Fee Paid |
|----------|----------|----------|----------|--------------------|----------|
| 1001 | 770 | 2001 | 385 | Utility filing fee | 770 |
| 1002 | 340 | 2002 | 170 | Design filing fee | |
| 1003 | 530 | 2203 | 265 | Plant filing fee | |
| 1004 | 770 | 2004 | 385 | Reissue filing fee | |
| 1005 | 160 | 2005 | 80 | filing fee | |

Subtotal (1)s \$ 770

2. EXTRA CLAIM FEES FOR UTILITY AND REISSUE

Extra Claims Fee below Fee Paid

| | | | | | | | |
|--------------------|----|----------|---|---|--|---|---|
| Total Claims | 15 | - 20** = | 0 | x | | = | 0 |
| Independent Claims | 3 | - 3 = | 0 | x | | = | 0 |
| Multiple Dependent | | | 0 | x | | = | 0 |

Large Entity Small Entity

| Fee Code | Fee (\$) | Fee Code | Fee (\$) | Fee Description |
|----------|----------|----------|----------|---|
| 1202 | 18 | 2202 | 9 | Claims in excess of 20 |
| 1201 | 86 | 2201 | 43 | Independent claims in excess of 3 |
| 1203 | 290 | 2203 | 145 | Multiple dependent claim, if not paid |
| 1204 | 86 | 2204 | 43 | **Reissue independent claims over original patent |
| 1205 | 18 | 2205 | 9 | **Reissue independent claims over original patent |

(\$) 0

**or number previously paid, if greater; For Reissues, see above

Complete if Known

| | |
|----------------------|--------------------|
| Application Number | To be assigned |
| Filing Date | Herewith |
| First Named Inventor | WADE STANTON BLAIR |
| Examiner Name | To be assigned |
| Art Unit | To be assigned |
| Attorney Docket No. | PC25522A |

FEE CALCULATION (continued)

3. ADDITIONAL FEES

| Large Entity | Small Entity | Fee Code | Fee (\$) | Fee Code | Fee (\$) | Fee Description | Fee Paid |
|--------------|--------------|----------|----------|----------|----------|--|----------|
| | | 1051 | 130 | 2051 | 65 | Surcharge - late fee or oath | |
| | | 1052 | 50 | 2052 | 25 | Surcharge-late filing fee or cover sheet | |
| | | 1053 | 130 | 1053 | 130 | Non-English specification | |
| | | 1812 | 2,520 | 1812 | 2,520 | Forfeiting a request for Ex Parte reexamination | |
| | | 1804 | 920* | 1804 | 920* | Requesting publication of SIR prior to Examiner action | |
| | | 1805 | 1,840* | 1805 | 1,840* | Requesting publication of SIR after Examiner action | |
| | | 1251 | 110 | 2251 | 55 | Extension for reply within first month | |
| | | 1252 | 420 | 2252 | 210 | Extension for reply within second month | |
| | | 1253 | 950 | 2253 | 475 | Extension for reply within third month | |
| | | 1254 | 1,480 | 2254 | 740 | Extension for reply within fourth month | |
| | | 1255 | 2,010 | 2255 | 1,005 | Extension for reply within fifth month | |
| | | 1401 | 330 | 2401 | 165 | Notice of Appeal | |
| | | 1402 | 330 | 2402 | 165 | Filing a brief in support of an appeal | |
| | | 1403 | 290 | 2403 | 145 | Request for oral hearing | |
| | | 1451 | 1,510 | 1451 | 1,510 | Petition to institute a public use proceeding | |
| | | 1452 | 110 | 2452 | 55 | Petition to revive unavoidable | |
| | | 1453 | 1,330 | 2453 | 665 | Petition to revive - unintentional | |
| | | 1501 | 1,330 | 2501 | 665 | Utility issue fee (or reissue) | |
| | | 1502 | 480 | 2502 | 240 | Design issue fee | |
| | | 1503 | 640 | 2503 | 320 | Plant issue fee | |
| | | 1460 | 130 | 1460 | 130 | Petitions to the Commissioner | |
| | | 1807 | 50 | 1807 | 50 | Processing fee under 37 CFR 1.17(q) | |
| | | 1806 | 180 | 1806 | 180 | Submission of Information Disclosure Stmt | |
| | | 8021 | 40 | 8021 | 40 | Recording each patent assignment per property (times number of properties) | |
| | | 1809 | 770 | 2809 | 385 | Filing a submission after final rejection (37 CFR 1.129(a)) | |
| | | 1810 | 770 | 2810 | 385 | For each additional invention to be examined (37 CFR 1.129(b)) | |
| | | 1801 | 770 | 2801 | 385 | Request for Continued Examination (RCE) | |
| | | 1802 | 900 | 1802 | 900 | Request for expedited examination of a design application | |

Other Fee (specify)

*Reduced by Basic Filing Fee Paid

Subtotal (3)

(\$) 0

SUBMITTED BY

| | | | | | |
|---------------------|----------------------------|------------------|---------------|-----------|--------------|
| Name (Printed/Type) | Keith D. Hutchinson | Registration No. | 43,687 | Telephone | 858-526-4608 |
| Signature | <i>Keith D. Hutchinson</i> | (Attorney Agent) | Nov. 24, 2003 | | |

Warning: Information on this form may become public. Credit card information should not be included on this form. Provide credit card information and authorization on PTO-2038.

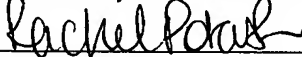
This collection of information is required by 37 CFR 1.17 and 1.27. The information is required to obtain or retain a benefit by the public which is to file (and by the USPTO to process) an application. Confidentiality is governed by 35 U.S.C. 122 and 37 CFR 1.14. This collection is estimated to take 12 minutes to complete, including gathering, preparing, and submitting the completed application form to the USPTO. Time will vary depending upon the individual case. Any comments on the amount of time you require to complete this form and/or suggestions for reducing this burden, should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, U.S. Department of Commerce, P.O. Box 1450, Alexandria, VA 22313-1450. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.

If you need assistance in completing the form, call 1-800-pto-9199 and select option 2.

PC25522A
Non-Provisional Patent Application

Certificate of Mailing (37 C.F.R. §1.10);

I hereby certify that this correspondence is being deposited with the United States Postal Service as Express Mail (EV241079238US) in an envelope addressed to: Mail Stop: Patent Applications, Commissioner for Patents, PO Box 1450, Alexandria, VA 22313-1450 on this 24th day of November 2003.

s/ 
Rachel Potash

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re the Application of:
WADE STANTON BLAIR, et al.

Group Art Unit: Not Yet Assigned

Serial No.: Not Yet Assigned

Examiner: Not Yet Assigned

Filed: Herewith

For: DUAL ASSAY FOR EVALUATING
ACTIVITY AND CYTOTOXICITY OF
COMPOUNDS IN THE SAME POPULATION
OF CELLS

Mail Stop: Patent Applications
Honorable Commissioner For Patents
P.O. Box 1450
Alexandria, VA 22313-1450

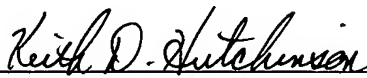
TRANSMITTAL LETTER

Transmitted herewith are the following documents:

- | | |
|---|----------------------|
| 1. Utility Patent Application Transmittal | 1 page; |
| 2. Fee Transmittal | 1 page + duplicate; |
| 3. Copy of Notice of Recordation of Assignment Document and copy of Assignment Papers | 7 pages; |
| 4. Application Data Sheet | 2 pages; |
| 5. Specification | 37 total pages; |
| • Claims | 2 pages; |
| • Abstract | 1 page; |
| 6. Drawings | 5 pages; |
| 7. Power of Attorney | 4 pages; |
| 8. Declaration for Utility | 1 page; |
| 9. Statement Under 37 C.F. R. § 1.821(f) | 1 page + 1 diskette; |
| 10. Sequence Listing | 6 pages; |
| 11. Return Postcard | 1 postcard; and |
| 12. Total Fee Due | Deposit Account |

Respectfully submitted,

Date: Nov. 24, 2003


Keith D. Hutchinson
Attorney For Applicants
Registration No. 43,687

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